



Crl.O.P.(MD)No.7211 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 10.04.2026

PRESENT

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 7211 of 2026

Eswaran

... Petitioner

Vs

State of Tamil Nadu rep. by
The Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi District.
(Crime No.71 of 2026)

...Respondents/Complainant

For Petitioner : Mr.R.J.Karthick
Advocate.

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl. side)

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Cr.No. 71 of 2026 on the file of the respondent police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent for the offences punishable under Sections 296(b), 126(2), 137(2) and 351(3) of BNS and Section 75 of Juvenile Justice Act, in Crime No.71 of 2026, on the



Crl.O.P.(MD)No.7211 of 2026

file of the respondent police, seeks anticipatory bail.

WEB COPY

2. The case of the prosecution is that due to previous enmity with regard to the dispute between the defacto complainant, who is studying 12th standard and the sister of the accused's friend, the accused persons kidnapped the defacto complainant and threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioner submits that the petitioner is innocent and he was falsely implicated in this case and he is no way connected in the above said incident. He has not committed any offence as alleged by the prosecution. Counter case has also been registered against the defacto complainant. Co-accused in this case has been released on bail. Hence, he prays to grant Anticipatory Bail to the petitioner.

4. The learned Government Advocate (Crl. Side) fairly submits that the offences are grave in nature. There is previous dispute between the parties. In which both parties made complaint each other. In this case, the accused persons kidnapped the defacto complainant, who is a minor boy and threatened him in dire consequences. Hence, he vehemently opposed the grant of anticipatory bail to the petitioner, as the investigation is still pending. However, he would



Crl.O.P.(MD)No.7211 of 2026

submit that the co-accused in this case has been released on bail and the petitioner has no previous case.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and the nature of offences charged against the petitioner, considering the dispute between the parties, already co-accused was released on bail, counter case has also been registered, the petitioner has no previous case, and also considering all other facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on anticipatory bail on condition to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate, Ottapidaram, Thoothukudi District**, and on further conditions that:

[b] the petitioner shall report before the respondent police, at 10.30 a.m., on every Saturday, for a period of four weeks, thereafter, as and when required for interrogation;

[c] the petitioner shall not commit any offences of similar



CrI.O.P.(MD)No.7211 of 2026

nature.

WEB COPY

[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Judicial Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

(P D B J)
10.04.2026

TM

To

- 1.The Judicial Magistrate, Ottapidaram, Thoothukudi District.
- 2.The Inspector of Police,
Pasuvanthanai Police Station,
Thoothukudi District.
(Crime No.71 of 2026)



Crl.O.P.(MD)No.7211 of 2026

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



Crl.O.P.(MD)No.7211 of 2026

P. DHANABAL, J.

TM

ORDER
IN
CRL OP(MD) No. 7211 of 2026

Date : 10.04.2026